

S P E E C H

OF

*sur  
Charles*

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MR. L. C. LEVIN, OF PENNSYLVANIA,

*1808 - 1840*

ON THE BILL TO RAISE

A REGIMENT OF MOUNTED RIFLEMEN.

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Delivered in the House of Representatives of the United States, April 7, 1846.

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MR. J. C. FRYING OF PENNSYLVANIA

OF THE STATE OF PENNSYLVANIA

IN SENATE

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## SPEECH.

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The House being in Committee of the Whole on the state of the Union, and having under consideration the bill for raising a Regiment of Mounted Riflemen, Mr. LEVIN moved the following amendment: Provided, That the officers and soldiers of said regiment shall be Americans by birth.

Mr. LEVIN, being entitled to the floor, said:

Mr. CHAIRMAN: I offer this amendment in the same spirit that dictated the policy of the immortal Washington, in our Revolutionary war, when, from his camp at Cambridge, he issued his order to "*place none but natives at the outposts.*" It is high time to be cautious when the nation is called upon to arm for its defence and preservation. It is high time, sir, to ascertain who are our friends, and who are our foes—who are Americans, and who the subjects of our enemies. It is high time to make this inquiry, when we hear a committee of this House report that there is no distinction between aliens and naturalized citizens—no shade of difference between aliens and native born Americans. Did Washington think so, sir, when he issued the order to which I have just adverted? Far from it. He who never quailed in battle—he who never erred in judgment, thought differently. It was his admirable sagacity that saved the country, by this wise discrimination. He knew where to place every man. Experience had taught him that the post of the foreigner was in the rear. Experience had taught him that, in all great emergencies, he could rely on the native soldier, who rallied to the fight, to defend his homestead, his family, and his native land. Now, sir, shall we take the experience of Washington for a guide, or shall we abide by the report of the Judiciary Committee, which proclaims, in substance, that native citizens are, in no respect, superior to the alien; and that the alien, so far as the highest political rights are concerned, is equal to the naturalized citizen? Need I ask this question of an American Congress? I trust not, sir. But to the point. It is proposed to raise a regiment of mounted riflemen to aid in the defence of the frontier settlements—"the outposts"—of the far west! Now, who better qualified to defend the soil than the native born—the hardy pioneer who peoples it—who settles it—who loves it—who has his wife, his children, and his all, staked on its preservation? Will you place such a man on an equality with the alien, or even on an equality with the naturalized citizen, *under our present lax system of naturalization?* Would Washington have done so? I ask you to turn to his order at Cambridge for a conclusive reply. Let me not be misunderstood, sir. I concede to the naturalized foreigner all the rights of the American citizen; but, as a matter of State policy, in time of war, or under the prospect of collision with foreign powers, I contend that we cannot, with any regard to the feelings of patriotism, refuse to confine this trust to the native born of the soil. The expediency of this amendment is manifest. We are now overrun with aliens, who owe and can owe no allegiance to the National Government—who are the born subjects of foreign kings, to whom they owe allegiance, and who, if they desert the American colors, cannot receive the punishment due to their crime—a fact which appears to have been overlooked by



those who have endeavored to make it appear that the States possess the power, in their individual capacity, to create citizens of the United States: a delusion so singular, that it may reasonably induce us to pause in the passage of every act of Congress, in order that we may define what constitutes a citizen of the United States. The position contended for by our opponents places the alien on the same platform with the naturalized citizen of the United States. Now, what rights does naturalization confer, either civil or political, or both? According to the report of the Judiciary Committee, it confers none; for that document refers us to State laws for every right, civil and political, that an alien can possess or exercise, even to the right of suffrage, as granted to the alien by the State of Illinois! Does naturalization confer the right to live, to labor, to acquire, transfer, devise, or inherit property? No, sir; this right is original and inherent in man. What rights, then, does naturalization confer? The rights that belong to a citizen of the United States. Now, sir, all these rights are primarily political rights, though they necessarily involve all the civil and personal rights that belong to the residents of States. Our whole federal system is one purely political; naturalization, then, must confer rights of a purely political character. What are they? The right to vote, and the right of eligibility to office. It can confer no other, because all civil rights are pre-existent to naturalization. Eligibility to office, sir, is a consequence of the right to vote, and the electors of all kinds—native and foreign—would all be equally eligible to office if the Constitution did not interpose a special interdict in reference to the great presiding officers of the Republic. And here, sir, we have a corroboration of the correctness of this view of the rights which naturalization confers.

The States have an unquestionable right to decide on what terms American citizens shall vote in their respective States. But if the States can grant to aliens the right to vote as electors of the United States, they could also grant the right of eligibility to the office of President and Vice President of the United States. Now, sir, the powers delegated to the General Government are of that class only deemed necessary to its perfect organization. No term of probation, no period of five years' initiation, would be necessary, if naturalization designed only to confer rights relative to property, or protection in time of war, or any of the civil and personal rights that belong to the residents of States. How, for example, sir, is that clause of the Constitution to be secured which excludes foreigners from the two highest offices of the Republic, but by the naturalization laws, as they confer the right to vote and the right of eligibility to office? Concede, for the sake of argument, that the naturalization laws do not confer the right to vote—under the belief that the States have exclusive jurisdiction in that matter, as the Judiciary report now before the House contends—how could the provisions of the Constitution be carried out? The States would make no discrimination between aliens and natives—no certificate of naturalization would be necessary—no record of alienage could be traced—and the whole fabric of the Government would fall under the control of foreigners, in flagrant violation of the most solemn and fundamental provisions of our organic laws. This, sir, is one of the most obvious consequences of the doctrine of this famous Judiciary report, that the States possess the exclusive right to regulate the right of suffrage! If this had been the case, sir, why did Congress extend the probation to fourteen years? Why did the Congress of 1798 repeal the act of 1794, and abridge the term of probation from fourteen to five years? The very fact that Congress has at various times extended and abridged the period of probation, shows most conclusively that the great and fundamental right conferred by the laws of naturalization, was the right of suffrage, and no other.



For what other right, sir, requires a probation of five or fourteen years? Certainly not the right to hold, acquire, inherit, or devise property. No man is required to have knowledge, or good moral character, to qualify him to hold property, or to fight in battle, or to act in any of the civil relations of citizenship! No! The very idea of probation applies to the ballot-box. And the practice, with the exception of Illinois and Michigan, has invariably sustained the principle; so that the right to vote is synonymous with naturalization in relation to foreigners, and the denial of that right has been invariably insisted upon, when the alien cannot establish the fact of naturalization. On this point, Mr. Chairman, it seems superfluous to dwell longer; on this point the absurdity of the report is self-evident; and it is only matter of surprise and regret that any cause could be so desperate, so hopelessly forlorn, as to acquire sophistry so flimsy, distortion so revolting, to sustain it.

American suffrage is a high prerogative. It can emanate but from two sources—birth and naturalization by the American Government. Its great distinguishing characteristic is the right of sovereignty. What is the right of sovereignty? The elective franchise—the right to govern—the right to rule—the right to vote for President and Vice President of the United States, and for members of Congress. Without this right no man can be an American citizen—no, sir, not even the alien in Illinois.

Uniformity, as a quality of naturalization, can only apply to the right of suffrage. It has no meaning in reference to “property” or “protection in time of war;” or to the duty of any civil office or military service. Uniform laws of naturalization must mean the same qualifications in every State—so that no jarring should occur—so that no alien should possess in one State privileges that he does not possess in another. When these privileges are unequal, as in the case of the alien in Illinois, it shows that some general provision of constitutional law has been violated for the sake of some local advantage, and this the alien will perceive when he passes into another State. There he will learn that Illinois has usurped her power, and that his right to rule Americans will not pass current in those States which pay proper regard to the Constitution of the United States, or the laws made in pursuance of it.

The 2d article of the 1st section of the Constitution declares that “the *electors* in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.” Now, sir, this would have been a most fatal clause but for the power granted in the Constitution to regulate the right of suffrage by a Naturalization law. The evil, as it now exists, seems to have been anticipated; for, without the power to regulate naturalization in Congress, the States would, by granting undue privileges to aliens, qualify them as electors, so as to debase entirely the character of our national legislation. While the Constitution, then, on the one hand, makes the qualifications of electors for members of this House the same as that for the most numerous branch of the State Legislatures, it effectually provides a check to the foul infusion of the foreign element, by vesting in Congress the power to regulate naturalization by uniform laws. Now, sir, can foreigners, before naturalization, vote for the most numerous branch of the State Legislature? Unquestionably not, and why? Because the naturalization law of the United States prevents them. And here lies the great principle of the Constitution, that members of Congress shall not be elected by a crowd of ignorant foreigners, without residing in the country five years, and then obtaining certificates of naturalization. Yes, sir, the first principle, the great fundamental doctrine of the Native American party, is now incorporated in our existing naturalization law. The five year law is a full re-



cognition of the doctrines of the Native Americans. The Constitution itself is the fountain head of it—which, as I have just quoted, shows that no member of Congress can be elected by voters not naturalized, because the naturalization law of the United States prescribes the qualification of the electors to the most numerous branch of the State Legislatures. And yet, sir, with this flood of light beaming upon the pages of the Constitution, we are told by *American representatives, in the hall of an American Congress, that aliens, with their foreign allegiance clinging to their limbs, have the right to become the rulers of Americans!*

Shall I be told, sir, that the doctrine for which I contend invades the rights of the States? State rights, sir, when they *are* State rights, will, at all times and under all circumstances, find in me an unflinching advocate; but the mere cry of “central power” will never intimidate a native American from defending the Constitution. Our national fame, our national character, all that we cling to as precious, or boast of as immortal, flows from the “central power,” which has its origin, its heart, its pulsations, in the Congress and President of the United States. What is “central power,” but the Constitution? What are we, as a people, without it? What would we become, if we had not this glorious “central power” as the focus of that circle around which revolve, in their respective orbits, and with beautiful harmony, too, the whole confederation of the sisters of freedom? Show me in what particular the rights of the States are endangered by the existing naturalization law of Mr. Jefferson’s administration. Was he an enemy of State rights? Will any one venture that assertion? Gentlemen have talked upon this floor as if the subject of a naturalization law was a new one, broached for the first time by the Native Americans. Now, sir, all the ridicule and all the sophistry that has been thrown *at* the Native Americans has passed over our heads and hit Mr. Jefferson, and all of his party, who, having the majority to repeal it, have suffered this law to remain on our statute book for nearly fifty years. And, if gentlemen have so ardent an affection for foreigners in their hearts, why do they not propose the repeal of the present law, that subjects the alien to five years’ probation, and bring him up to the polls the moment he lands upon our shores? Consistency demands this course from gentlemen who have so vehemently eulogized the virtues of the foreigner as superior to the virtues of the native born.

Now, sir, I am one of those who believe that State rights are never incompatible with the “central power”—or the Congress and President of the United States—because, if a right put forward by a State militates against the Constitution, it is spurious. If a power claimed by the General Government is an usurpation on the States, it will appear so by the palpable test that its action terminates in the impairment of State sovereignty, without being necessary to the sovereignty of the Union. It is the principle of necessity that divides the two great orbits of power in our system. On this ground I open the pages of the Constitution, and what do I find? Why, sir, that the organization of this House and the Presidency is the most necessary part of the whole system—the primary part, the fundamental part—and that all others are minor features, auxiliary forces, or subordinate elements. This, sir, brings me to that part of the Constitution which regulates the right of suffrage by a naturalization law. I care not for this argument, whether it be twenty-one years or five years—but I am now arguing on the five year law; for the principle involved in the one is the principle involved in the other. I ask gentlemen now, in all solemnity and soberness, what power prescribes the qualifications of members of Congress and the Executive of the United States? The States individually or the United



States? Why, sir, the question answers itself. The first page of the Constitution settles it. If the States could organize the Union by their State powers, there could be no Union. If the States could prescribe the qualifications of members of Congress and the Executive of the Union, there could be no Congress and no Union. Consequently, if the States had the power to grant the right to vote to aliens, there could be no Union, because the rule of naturalization must be uniform, and it can be made so by no power but that of the United States. It was for this purpose that the States delegated to the General Government all political control over the alien, the Government of the Union having been expressly established for our *foreign relations*, and not our domestic policy.

But, sir, our opponents point to the State of "Illinois," and tell us that in prescribing the qualifications of electors to the most numerous branch of the State legislature, she requires only a *residence* of six months. Admit the fact, still it cannot supersede the Constitution of the United States, or the general practice under it. The right to enact an uniform law of naturalization in the United States settles that question. Again and again, I ask, sir, what do you understand by "uniform?" The same throughout the whole Union—in every State—and equally applicable to one person, or alien, as another. That no alien shall be entitled to vote in less than five years, and under certain conditions, is the tenor of the existing law. Now, sir, as a law of the United States, made in pursuance of constitutional power, the present act of naturalization is supreme over all the States, and controls their legislation. If an alien votes in any State, he votes in contravention of constitutional law; and this only proves what I have so often asserted, that foreign influence has already blasted the purity of the ballot-box, and that we cannot hasten too soon to the rescue of our mouldering institutions. But to point to the violation of a law, to prove the non-existence of a law, is an absurdity too gross to call for refutation. If but twenty States yielded submission to the law, it would be sufficient to attest its existence; for surely, sir, the popular practice goes far to establish a constitutional construction; but as only two, Illinois and Michigan, violate it, let us rather call upon the proper authority to enforce their obedience, than to cite their dereliction as an example that ought to prompt us to overthrow the whole glorious fabric of our freedom, laws, and Constitution. Sir, we are becoming too much accustomed to contemplate with indifference the invasion of the Constitution, by the different States, who misconceive their reserved rights to consist in the total destruction of the "central power." A better friend to State rights will always be found in him who advocates the strict integrity of the national compact. Let us suppose, sir, that all the States follow the example of Illinois and Michigan, in the free admission of *aliens* to the ballot-box, without undergoing the probation prescribed in the present naturalization law. What would be the consequence to the rights of the States? Can the States have reserved rights, if the Union possesses no clearly defined powers? If the States can violate a naturalization law, made in pursuance of the Constitution, they can violate all the provisions of the Constitution with equal impunity. Now, a contract loses all its virtue, when the parties to it disregard all its provisions. If the States can practically nullify the naturalization laws, they can practically nullify any other law made in pursuance of the Constitution, and the whole fabric of the Republic totters to the ground. To come, then, to the point directly at issue—can the States admit aliens to vote? If they can, then the Constitution of the United States is a dead letter, for that power has been delegated by the States to the Union, as I have before remarked, in the power to regulate naturalization. The States,



therefore, cannot admit aliens to vote. The basis of all American suffrage, so far as relates to foreigners, being an United States naturalization law, extending over and controlling all the States in an uniform manner, making any State court of record competent to naturalize, *under the authority of the United States*.

Sir, I cannot imagine a plainer question of constitutional law than this controlling power of the Union over the right of suffrage in the alien.

But, sir, we have been told, that if we deny immediate naturalization to the alien, and its consequent right of suffrage, that it will create moody discontent, and lead to secret cabals, if not bloody insurrections! Faction, in her wildest mood of lust, never conceived a purer fiction, as the plea on which to justify a system of political debauchery. What, sir? Extend the term of probation, and lo! the alien is to become an insurgent—rebel against the laws—concoct plots and form conspiracies—aid the foreign levy of our foes, and, in every shape and form, plant the dagger of the traitor in the heart of freedom—and all, because we demand of him the same period of probation which we impose on our own sons!

Such is the picture of alien treason drawn by the prolific imaginations of the ultra-liberals, who plead universal suffrage as the only tie that can bind the heart of the alien in fidelity to a government of freemen! Sir, if the fact support the theory of these champions of *royal rebels* against freedom, the sooner we make provision to exclude totally from the rights of citizenship those who may hereafter visit us, or prevent them from contaminating our shores—the sooner, I repeat, we do this, the better for the country. We want no population here, who, under any circumstances, will resort to physical force to redress imaginary wrongs, or repel actual aggressions, when the laws afford an adequate remedy, and the laws are created by the sovereign power of the people. We want no engrafting of the vices of regal despotism on the stem of our native freedom. This innate propensity to resort to physical force to accomplish the purposes of our alien population, is adduced as an argument in their favor by the liberal friends of the foreign emigrant! I accept it as such, and turn its whole force against them, proving them to be radically disqualified to discharge the high and responsible duties of American citizens, without undergoing a long probation to initiate them into the sublime moral beauties of a government which operates by the force of opinion, and in obedience to law without a resort to physical coercion. The bare idea, sir, of being overrun by a mass of foreign ignorance, pauperism, and crime, is revolting to every feeling of native pride, native independence, and native virtue; and yet we are told that these very aliens will deliberately set to work to pull down our noble structure of government, if we refuse to permit them to control, to tarnish, and debase it! And this, sir, is the most cogent argument addressed to us by the ultra liberals, who, having abandoned the ground of merit, on the part of the alien, now attempt to operate upon our fears, by telling us that an extension of the naturalization law will lead to bloodshed and massacre! Sir, I know of but one class of our foreign population who would be likely to sustain this theory, for the bloody acts of “*the repealers*” in Kensington tell us, with mournful emphasis, that they would not even “*tolerate*” the discussion of this question! But the cowardice implied in the possibility of being driven from our position by a threat like this, assures me of the ultimate triumph of all I contend for. Threats never yet intimidated a Native American from the discharge of a high duty; but when the threat used involves the destruction of American institutions, before the barbarous violence of such infuriated aliens, it provokes indignation, while it rallies every dormant emotion of patriotism to crush the vile suggestion. To this, as to all similar



arguments that imply violence from the foreigner, I have but one answer—THE AMERICAN PEOPLE have but one answer—and that is—WE NEVER YIELD TO FORCE that which justice dare not claim.

I deny, sir, that any extension of our naturalization law *can* make them more “distinct” than they are at this very hour. In one solid and compact body, they not only remain separate and distinct from the American population, but they labor to surround themselves with all the moral and political ramparts of their European nationality; they study how to resist the charm of American amalgamation, and how to perpetuate forever their homage to kings, their adoration of monarchy, and their reverence for feudal institutions, crested with the dust of ages and fed by the blood of millions!

We are told that moral power is the cement of freedom. But, sir, where is the moral power that results from such an established and settled organization of foreign monarchists, whose support is paid for by the propagation of sentiments fatally inimical to public freedom. Sir, the very system which now prevails arrays moral power as well as political against the cause of republicanism. Naturalize these aliens for any period short of twenty-one years, and, SO FAR FROM HARMONIZING, YOU DIVIDE THE LAND FOREVER BETWEEN TWO CONTENDING PARTIES. Foreigners opposed to natives—natives combating against foreigners—each hour propagating sentiments fatal to American rights—each hour pregnant with danger—each hour more firmly uniting the alien phalanx, and more devotedly rallying the hearts of the natives against the usurpations of these banded foreign legions!

Do you ask, sir, why twenty-one years will prove efficacious in averting these disastrous, these melancholy effects? Because it will operate to disperse and prevent these bands and combinations of foreign voters, and cut off all motives in domestic demagogues to flatter their passions and pander to their illicit suffrages. When the foot of the alien touches the American soil, knowing that 21 years must elapse before he can vote, all his faculties will become absorbed in his business pursuits. He will not so much as dream of political contention. No domestic demagogue will be found waiting to greet him on his landing, and initiate him into the mysteries of corruption. No countryman of his own will stand with impatient eagerness to enrol him a member of a foreign society, in order to cast a combined vote against free institutions. Twenty-one years cuts asunder all the threads of affiliation, tainted with pestilence or teeming with anarchy. It opens a distant future, which to the burning zeal of political corruption, darkens almost into eternity. It may be alleged as an argument by our opponents, that to seven-eighths of these immigrants it may prove eternity itself. On the possibility of such an event I will not dispute, for the contingencies of life and death are never permitted to invalidate a sound principle. Laws, sir, are made for the living. If the alien has paid his debt to nature, he will leave a native posterity, the sons of his own love, to enjoy the blessings of the principle of the twenty-one years’ probation. Such a law, did it produce no other fruits but those of the abolishment of a banded foreign legion, the non-cherishment of alien sentiments, the non-usage of foreign emblems, the gradual obliteration of habits congenial to monarchy, and the total disappearance of all that moral power, adverse to freedom, which now so much annoys and degrades us in them, as well as in the party corruptions of our own people; it would prove a national blessing of transcendent magnitude. But this, sir, would only be a partial effect of so salutary a reformation. Abolish the motives and temptations to combination and illicit voting for a period of twenty-one years, and you will at least promote, as far as polity can control instincts, that



very homogeneous feeling so necessary to the peace and safety of a country, when distracted by the conflicting passions and interests of a native population, struggling to resist the usurpations of a foreign body of intruders. Deprived of voting for twenty-one years, all distinct interests will cease—all jealousy and rivalry subside as to who shall rule the country—the natives or the foreigners; for this is in fact the only question at issue, and this question has been raised by the foreigners themselves, who now maintain their right to govern the natives, and combine and plot to accomplish that purpose through fraud, perjury, and forged documents of naturalization. At one blow this twenty-one year law would extinguish forever this mortal, I might say, this martial array of the foreign party, which, struggle as it may, take what form or shape it may, must eventually come to the point of settlement—the natives must triumph, or the foreigners succeed. It is true they claim the victory now, and point to their balance of power as deciding the victory at the polls. But, sir, we dispute the legality of the votes; we charge it with fraud; we prove it corrupt; and we now appeal to the great American people, not sold irrecoverably to the prostitutions of faction, to correct the evil—to arrest the march of these foreign invaders—and, laying aside the trammels of mere party, *rush to the rescue of their children's rights.*

In what portion of history, sir, can we be shown a similar system, put in practice by an alien population, to overthrow native ascendancy? There is no parallel, because no other country upon the globe admits a foreigner to the possession of the rights of sovereignty. No other country has yet given this right, as we have, to its own people—much less to emigrants. And we have granted it to aliens; and that grant has led to civil war—to a deadly struggle on the part of foreigners for the government of the land. To what conclusions, then, do we arrive from all the array of facts before us? That, by an undue facility of naturalization, we have made the population of our country heterogeneous, hostile, jealous, and at war one with another; *that, by the corruptions of this facile adoption of foreigners, we have endangered the Union of the States, and shaken the Republic to its centre; that we can only make this great nation one in soul, one in spirit, one in action,* homogeneous, and possessing perfect moral and political symmetry, by a new naturalization of twenty-one years.

In taxing their ingenuity to raise objections to our pure and patriotic party, our opponents have made allusion to the sedition law of '98, attempting, but as I shall show in vain, to identify that obnoxious measure with the proposition to extend the naturalization law to a period of 21 years. I shall not ask these gentlemen to tax their frankness by an avowal that, in respect to sedition, there is no affinity at all between the two measures, and that any appeal to the buried prejudices of ages long past is not less unjust than ungenerous, out of place in this Hall, and better suited to the stump or hustings. For myself, no man holds in greater abhorrence than I do, and ever have done, the sedition law of '98. It was oppressive, unjust, and unconstitutional; but, while I acknowledge this, I claim for *the present naturalization law* a total exemption from all the blemishes of that of '98. It belongs to a different class of laws; it is to relieve oppression, not to inflict it; it is every way conservative of constitutional freedom, and aims to protect the citizen in the enjoyment of his rights, not to restrict or fetter him in their exercise. The only affinities of the proposed act, sir, are in relation to the existing law—the *Jefferson naturalization law*, as it has been emphatically called. It belongs to that class of laws—it rests on the same principle—it aims to secure the same purpose—the perpetuity of free institutions; whereas the alien and sedition law aimed a blow at the rights of man pregnant with dissolution to the whole fabric of freedom, the rights of man, and the security of the person of the citizen.



But it has been contended, sir, that this 21 year law would be oppressive, because it would leave the alien to be "*taxed without being represented.*" If this be so, sir, then it is an effect common to all the naturalization laws that have ever existed in this country; and we have never been without one. It is as much a feature of our present five year law as it would be of a law of twenty-one years. When we revolted, in 1776, from British tyranny, on the principle of no taxation without representation, it had reference to the support of the mother country by taxation on the provinces, which had no representation in the Parliament of Great Britain. The provinces contended that they ought not to be taxed to support the mother country; they had no objection to be taxed to support themselves, *without representation.* On this principle the tax on tea was resisted, as an impost that bore with unjust oppression on the provinces. Surely, sir, there is no analogy between the principle of rebellion in the war of the Revolution and the principle of taxation without representation in the case of the alien, while undergoing a probationary exclusion from citizenship. He is protected by his own proper Government, for the time being, in person, life, and property. He is, in fact, represented by the terms of the compact that prescribe this probation previous to his arrival in this country; and, though he has no voice at the polls, he is embraced in the representation, on the general spirit of our institutions, and on the same principle that minors and females, though they have no vote, are yet understood to be included in the representation as persons or inhabitants. The American minor has quite as much right to complain on this score as the alien, when subjected to a probation of 21 years; but neither have a right to complain, because both enjoy all the benefits of representation under the general principle, and all-pervading influence of our popular institutions, which bases representation on the scale of *persons*, not of *voters*.

Why, then, sir, shall we grant an *exclusive* privilege to the alien, which we refuse to our own sons, born on the soil, who are condemned to a probationary period of twenty-one years? Why should we grant to a foreign pauper, or criminal, or even to a foreign nobleman, what we refuse to our own sons? There is no necessary connection between the civil age, or majority of twenty-one years, which we have imitated or adopted from Europe, and *the political right* of suffrage, which is the consequence of *political intelligence*. There is no reason to sustain the law which makes the political right of the alien superior to the political right of the native-born. If twenty-one years probation is assigned to the native-born, it is but just, reasonable, and proper, that the same period should be assigned to the exported alien. We ask no "privilege" for the native-born. Let no "privilege," then, be granted to the alien. Which is more of an "infant," in a political sense, or any other sense—the native American youth, at eighteen years of age, or the alien, after a residence of six months, or even five years—I leave to the intelligence of every man to determine for himself. But, on the principle of "EQUAL rights," I boldly denounce the exclusive privilege of the right of suffrage granted to the alien at five years, and denied to the native-born till twenty-one.

Now, sir, no argument can be urged with any force against the period of twenty-one years, that does not apply with equal force against the period of five years, if it be based on any principle known or recognised as a principle of freedom. All the deprivations complained of in the period of twenty-one years are also embraced in the period of five years; nor can the one be made to appear more onerous than the other. Both are the suggestions of a wise expediency; both are peculiar to our representative republic, if the people so will it; both are constitutional; but twenty-one years is more wise, because it adapts the law to the



altered relations of the country, and the necessary demands for protection against the growing encroachments of foreign monarchists upon our rights, by means of the combined influence of a spurious ballot. Sir, there is but one course for our opponents to take with any consistency, and that is, to go for universal suffrage; for the period of five years implicates them as deeply as twenty-one, in all the consequences of a probationary exclusion from citizenship. The principle is the same. Exclude the alien for five years, and you do all that any extension of the term can do, but you do him no wrong on any principle, for he has no right to citizenship but by consent of the people, and he must accept it on the terms on which they proffer it, as most conducive to the preservation of free institutions. The American people hold the right in their own hands to declare on what terms aliens shall be entitled to suffrage, and enjoy one of the highest privileges conferred on earth to man.

It is easy, sir, to see through the design of those who wish to assimilate this question with "the alien and sedition law of '98." They are invoking a popular prejudice, not weaving a logical argument. They desire to blacken us by libels, not meet us by reasoning. We deny, in toto, all previous parallels to the question of naturalization, except such amendments of the law as were made under the administration of Mr. Jefferson—and so far it is a purely democratic movement; or to speak with more exactness in relation to our laws and constitution, it is a republican movement, but, in fact, partaking largely of both; for in our system both are so interwoven as to be inseparable.

The essence of freedom consists in the preservation of the forms that guard and protect its principles; and when we contend for the vital spirit of the Constitution, we embrace a position radically Democratic. It is this position, sir, which decides the character of our reform, and not the mere twenty-one years in place of five. Do not confound the *means* with the *end*. What is the end we aim at, by the practical operation of this 21 year law? The *preservation* of constitutional freedom, by keeping the ballot box pure and undefiled—by keeping the minds of the rising generation free from the infection of monarchical opinions, imported and disseminated by the slaves of kings—by preventing the facility of voting by fraudulent expedients, and especially that combination of illegal voters, who move at a signal from "the repeal demagogue" of Europe. The object aimed at, sir, is the same as that which was so eloquently enforced on the American people by the Father of his Country, in his farewell address, which we oppose to all cavils, as a conclusive reply. We have been told sir, that the portion of the farewell address which refers to "the insidious wiles of foreign influence," was intended to apply to arrangements and commercial treaties with foreign powers. Now, sir, if it was matter of such vast importance to be guarded upon points so comparatively remote, from any pernicious influence to our institutions, (and that Washington so esteemed it, who will venture to deny,) how much more important is it to guard against foreign influence in our *ballot-boxes*, openly marshalled by the demagogues of Europe, as well as the demagogues of this country? Did not documents exist to show that the foreigner boasts of having the *political control* of our country, incredulity real or feigned might scout at the charge with scorn and derision. But not only do these foreign documents exist, but others of a *domestic* character shame us, by appeals to alien passions; and in placards blazoned to the world we have read the most pathetic exhortations addressed to Frenchmen, Irishmen, and Germans, to rush to the polls *as such*, and deposit their votes in favor of men, who would show favor to foreigners in preference to their own countrymen, as the price paid for them.



Sir, what American but has in his heart despised, and by his tongue laughed to scorn and lashed to infamy, the rotten-boroughs of England; and yet how infinitely more degraded shall we, the people of the United States, become, if we allow our country to be transformed into a rotten-borough for Europe's kings, who, by the turn of a finger, can pour into our ballot boxes tens of thousands of voters, a majority of whom have no more right to vote than the horse, the ox, or the locomotive. We all know, for nothing is more obvious, that the Constitution may be destroyed without ever being violated; and that, too, by means of corrupt practices that undermine its integrity as well as nullify its intent. Under our Constitution none but a native born American can be eligible to the Presidency; but if by courting the foreign vote, the native born becomes in heart an alien to his country, the Constitution is as effectually prostrated as if an alien had been elected to fill the Presidential chair.

But, sir, we have been told that twenty-one years, as the period of probation imposed on the foreigner, "is proscription!" If it be, (which I deny, and shall disprove,) so is five years "proscription." If there be any proscription in naturalization, then has our Government, from its first start into existence, practised proscription. The charge refutes itself. The power and right to protect American institutions from the corrupt touch of monarchy, is inherent in the people. Ours is a government strictly *sui generis*—its features are peculiar to itself. It is an institution of popular sovereignty; unlike all other governments, whose subjects come among us to serve an apprenticeship to freedom, and wean themselves from the habits and passions peculiar to royal serfdoms. Is it "proscription" to exclude minors, our own sons, from suffrage? No, it is deemed prudence. We hold the right to protect, and defend, and preserve that which is for the common benefit of all. But, sir, if foreigners are proscribed, so are our own children proscribed. Let any man imagine to himself what would be the consequence if the ballot-boxes were thrown wide open to all, and popular suffrage came upon us in one overwhelming torrent from persons of all ages. What would be the effect? How long would the laws be wisely made, or firmly executed? It is the same thing in relation to this flood of paupers, who are *systematically* sent to our shores from the old world—**GREAT BRITAIN HAVING ON ONE OCCASION (as you will find by reference to Niles' Register) APPROPRIATED TWENTY-FIVE MILLIONS OF DOLLARS TO DEPORT TO THIS COUNTRY ONE MILLION OF IRISH PAUPERS, UPON THE VERY GROUND THAT THEIR COMPETITION WAS FATAL TO ENGLISH LABOR; AND THEY ARE NOW SENT HERE THAT THEY MAY COME IN COMPETITION WITH THE AMERICAN LABORER!**

I shall not stop here, sir, to enquire what will be the effect of such a system upon American labor, or the American laborer. I merely ask, what will be its effect upon the Ballot-box of the Nation? Will not such a class of aliens speedily overturn all the barriers that have been created by the Fathers of the Revolution to protect the rights of man?

And yet, sir, such is the character of the alien population that we are conjured not "to tax without representation" by a naturalization law of 21 years! A population who, in their own country, never enjoyed the right of suffrage, and who have no more idea of representation being the condition of taxation than the inhabitants of the Celestial Empire. We are too prone, sir, to ascribe American feelings to foreigners, and then argue on that assumption, as if the alien, cradled in the despotism of a monarchy, had been nurtured at the bosom of freedom. The whole picture is a gross illusion. As to the principle, representation is not identical with the possession of the right to vote. In our system, all are represented on the general scale of "the inhabitants" of each district being en-



titled to a representative. I refer to the Constitution, article 1st, paragraph 4th, for the basis of representation being "persons," or "inhabitants," and not electors, or citizens entitled to suffrage. There is no ground-work at all, sir, on which to frame that argument. Every inhabitant without a vote is fully represented, and of course every alien is as clearly represented as if covered by the mantle of citizenship. I am aware that this subject has been confounded even in the minds of men of no ordinary intelligence, and I therefore exonerate the honorable gentleman from any design of intentional perversion, in urging what he no doubt believed.

The alien comes among us from a foreign monarchy, where he has no rights, without any idea of the dignity of a freeman, or the responsibility of a voter. Few have sufficient property to make them the subjects of taxation, and until they become naturalized, or attempt to vote in violation of law, they escape taxation altogether, except the poll tax necessary to entitle them to suffrage. Let us view this subject in the light of common sense, and not endow the alien with all the feelings and sensibilities of the Native born, and then deduce the conclusion, which is "a non sequitur," that the alien will die of a broken heart, or be driven to "rebellion and massacre," if he is put to a probation of twenty-one years, and "taxed without having a vote!" No, sir; instead of thinking of *voting*, he is thinking of *eating*. He is either seeking employment, or reposing in the almshouse. He is looking after the means of acquiring property, not thinking of governing the country; unless when some political demagogue, or a committee of naturalization hunt him up to cast him into the scale as a balance voter, by debauching his morals in order to buy his conscience.

In proposing an extension of the naturalization law to twenty-one years, we not only violate no principle of the Constitution, of humanity, or the rights of man, but we protect and defend them all; at the same time that we manifest the most kind and benevolent feelings towards the foreigner. I ask you, sir, to contrast his condition under the two systems, as a victim to all the horrors of the tippling house, in the hands of the wily demagogue who is buying his vote, and in the hands of his own children, and family, and friends, where our system places him—in the full exercise of all his civil and religious privileges—under the canopy of his own little domestic castle—free from the din of parties, the vices of politics, and the tumults of the tavern—an useful and industrious citizen, whose sons are growing up around him to enjoy the rights which belong without dispute to the native born. Who is the best friend of the foreigner? Unquestionably the advocate of that law which snatcheth him from the fires of political intrigue, and enshrines him in the sanctuary of his own domestic affections.

I deprecate as worse than barbarous that system of political chicanery which prompts the demagogue to irritate the foreigner into the fury of party madness, by goading him with false opinions of our political system, and then appealing to his ignorance or his passions to redress wrongs that have no existence, pouring into his ear the eternal falsehood that he is taxed without being represented, and that his right to vote is recognised in the Declaration of Independence—as if that glorious document, now almost rendered nominal by these very aliens, were a law of the United States. It is such poison, distilled by the wretched demagogues of the day, that destroys the usefulness of our foreign population, and, by maddening them with political passions, renders them a curse instead of a blessing to the country.

If the alien is taxed when he has property, Mr. Chairman, is he taxed more than the native? If not, as no one will venture to assert, where is the wrong? Society cannot afford its protection, without having the expenses of Government



paid by the people. The alien is protected in all his civil rights, as well as the native. But *political* rights are the subjects of *law* that grow out of the conservative principles of freedom, which our Constitutions restrict and our laws define. When the demagogue confounds these, and tells the alien he is entitled to vote "because all men are created free and equal," he becomes a firebrand, whom it would be charity to stigmatize as a traitor to his country.

Mr. Chairman, we have pandered to this class of our foreign population to an extravagant excess, that threatens to overturn our institutions, and involve the country in anarchy and ruin—we have done this, till the Declaration of Independence has been confounded with the Constitution, and civil rights made to comprehend political privileges—we have done this, till men have lost all love of country in the lust of power, and become incapable of discriminating between the representatives of the people and the rights of electors. We are admonished, by the practical effects of these fallacious opinions, to erect fresh barriers to the inroads of such formidable and fatal devices, which involve a confusion of fundamental principles, that cannot fail, if not now arrested, to overturn the institutions of our country, and bind our children, in fetters of tyranny, to the will of a body of ignorant aliens. This, sir, is no picture of the imagination. We are surrounded on all sides by solemn and tragic realities attesting the fact. From the very mouths of our opponents, we adduce the evidence of the perversions that are furnished as food of instruction to the mind of the alien, who lands one day a serf, to be flattered as a lord, and the next to be manufactured into a sovereign, arrayed in the glorious privilege of the elective franchise, as the creator of a system that he does not understand, and the maker of laws which he has not the virtue to obey, or the intelligence to comprehend.

Shall we, then, or shall we not, transmit our heritage unimpaired to our children? To do this, we must at least preserve that harmony in our system that shall prevent anarchy, bloodshed, and riot; that shall define native rights in characters too broad and distinct to be confounded by demagogues or invaded by aliens; while it shall instruct the foreigner in the duty of learning to become an American citizen before he aspires to be a political dictator. The issue has been made by that natural climax of corruption, to which public abuses of great magnitude always reach—**WHETHER NATIVE AMERICANS OR FOREIGNERS SHALL RULE THE LAND.** That issue must be met. The result no man can doubt who knows the American character, or appreciates the indomitable energy, the irrepressible independence, and the unconquerable will of the Anglo-Saxon descendants of the first settlers of the North American continent. Americans, sir, must and will be the rulers of America. It is written in the hearts of the people—it is inscribed on the brows of our mountains—it is mirrored on the bosom of our lakes.

As Native Americans, sir, we stand prepared to abide all perils of a position which aims to establish the moral and political reformation of our glorious Republic. Planting the standard of our principles on the graves of heroes, it cannot excite surprise that we are undaunted, resolute, and firm, in a cause that kindles enthusiasm in every heart open to the claims of country. Recurring to first principles long since buried beneath the rubbish of mercenary parties, we are not unaware of the difficulty of the task which aims to awaken, in the callous breast of party, the glowing emotions which, in the earlier eras of our history, caused the native to exult with pride in the land of his birth, as a blessing and a privilege to be equalled by no other distinction. But, sir, it is the difficulty of the task that sheds glory on our effort; and, on this occasion, we have foes who, when they do not hurl poisoned javelins, or shoot like cowards



from an ambush, it will be no discredit to exhibit in our train of captives, who shall follow our triumphant chariot to a grand national victory in 1848!—For captives they must become. A victory we must have. Invincibility is our motto. We inherit it from *a leader who never surrendered*, and with whom courage and generosity were as natural as patriotism and success. Like him, sir, we treat our captives with clemency; like him, we take them captive only to make them freemen; but, like him, we never shall sheathe our weapons till we behold our glorious country eternally free from all foreign cabals and their mercenary American allies. Here, then, we take our stand. As A DISTINCT AMERICAN ORGANIZATION we enter the field; the struggle may end in *four*, or, like that of the Revolution, it may take eight years to accomplish it. But, sir, we are “enlisted for the war,” and until victory shall perch upon our banner, you will find us struggling for our native land, bold, fearless, and free, hurling the thunderbolts of truth against the enemies of the American people, and striking dismay into the hearts of those whose hatred may be taken as a tolerable measure for their fears.